

**BID OPENING**  
**CITY OF SAN JOSE**  
**OFFICE OF THE CITY CLERK**

RECEIVED  
San Jose City Clerk  
Time Stamp  
2009 DEC 10 P 2:56

TOTAL BASE BID 5,577,000  
ALT NO. 1 35,000  
ALT NO. 2 123,000  
ALT NO. 3 10,100  
Alt No. 4 7,700  
Alt No. 5 \_\_\_\_\_

BID DATE: Thursday, December 10, 2009

Project Manager: Agatha Ng – 535-8350

**CALABAZAS BRANCH LIBRARY**

BIDDER NAME: Roek Construction

Bond ☒ Cashier's Check \_\_\_\_\_

Addendums Included ( )

YES ☒ NO \_\_\_\_\_

NonCollusion Affidavit

YES ☒ NO \_\_\_\_\_

December 2, 2009

**ADDENDUM NO. 1  
FOR THE  
CALABAZAS BRANCH LIBRARY**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into plans and specifications for the **CALABAZAS BRANCH LIBRARY PROJECT**.

**GENERAL:**

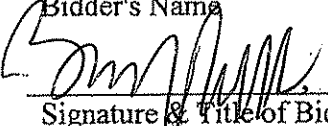
Please find attached Addenda No. 1 with modified Project Manual and Drawings. Drawings are issued in sketch form, 8 1/2" x 11". A complete listing of all modified Project Manual and Drawings sheets is included in the attached documentation.

**INSTRUCTIONS TO BIDDER:**

The bidder must sign this addendum in the space provided below and return one signed copy of THIS SHEET with the bid. **Failure to return this signed copy with the bid documents shall not relieve the bidder of the obligation to include this addendum with the bid proposal.**

APPROVED BY:

  
Katherine Jensen  
Division Manager

ROEK CONSTRUCTION	12/10/09
Bidder's Name	Date
	
PRESIDENT/TREASURER/RMO	
Signature & Title of Bidder	



*Department of Public Works*  
CITY FACILITIES ARCHITECTURAL SERVICES

December 4, 2009

**ADDENDUM NO. 2  
FOR THE  
CALABAZAS BRANCH LIBRARY**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into plans and specifications for the **CALABAZAS BRANCH LIBRARY PROJECT**.

GENERAL:

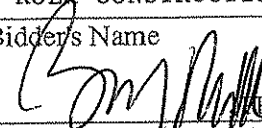
Please find attached Addenda No. 1 with modified Project Manual and Drawings. Drawings are issued in sketch form, 8 1/2" x 11". A complete listing of all modified Project Manual and Drawings sheets is included in the attached documentation.

INSTRUCTIONS TO BIDDER:

The bidder must sign this addendum in the space provided below and return one signed copy of THIS SHEET with the bid. Failure to return this signed copy with the bid documents shall not relieve the bidder of the obligation to include this addendum with the bid proposal.

APPROVED BY:

  
Katherine Jensen  
Division Manager

ROEK CONSTRUCTION	12/10/09
Bidder's Name	Date
	
RESIDENT/TREASURER/RMO	
Signature & Title of Bidder	

## **BIDDER'S BOND**

KNOW ALL PERSONS BY THESE PRESENTS:

That we, Roek Construction as PRINCIPAL,  
and Western Surety Company, a corporation duly organized under the  
laws of the State of South Dakota and duly licensed to become sole surety on bonds  
required or authorized by the State of California, as SURETY, are held and firmly bound unto the  
City of San Jose (hereinafter called the "City"), in the penal sum of TEN PERCENT (10%) OF THE  
TOTAL AMOUNT OF THE BID of the Principal above named, submitted by said Principal to the  
City of San Jose, for the work described below; for the payment of which sum in lawful money of  
the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators  
and successors, jointly and severally, firmly by these presents. In no case shall the liability of the  
Surety hereunder exceed the sum of Ten Percent of Total Amount Bid \*\*\*\*\*  
\*\*\*\*\* DOLLARS  
(\$ 10% of Bid ).

THE CONDITION OF THIS OBLIGATION IS SUCH,

That whereas the Principal has submitted the above mentioned bid to the City of San Jose, for  
certain construction specifically described as follows, for which bids are to be opened in the Office  
of the City Clerk Office, CITY OF SAN JOSE, City Hall, 200 E. Santa Clara St., Wing, 2<sup>nd</sup> floor,  
San Jose, CA 95113 on December 10, 2009 for CALABAZAS BRANCH LIBRARY.

NOW, THEREFORE, if the aforesaid Principal is awarded the contract and, within the time  
and manner required under the specifications, after the prescribed forms are presented to Principal  
for signature, enters into a written contract, in the prescribed forms, in accordance with the bid, and  
files a Faithful Performance Bond and a Contractor's Payment Bond, and files the required insurance  
policies with the City, all as required by the specifications and the contract or by law, then the  
obligation shall be null and void; otherwise it shall be and remain in full force and effect.

The Surety, for value received, hereby stipulates and agrees that the obligation of said Surety  
and its bond shall be in no way impaired or affected by any extension of the time within which the  
Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

In the event suit is brought upon this bond by the Obligee and judgement is recovered, the  
Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to  
be fixed by the court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this  
day of December 2, 2009.

**PRINCIPAL**

**SURETY**

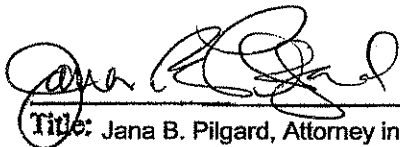
Roek Construction  
Legal Company Name

Western Surety Company  
Legal Company Name

Corporation  
Indicate Type of Entity

Corporation

By   
Title: PRESIDENT/TREASURER/RMO

By   
Title: Jana B. Pilgard, Attorney in Fact

By \_\_\_\_\_  
Title:

By \_\_\_\_\_  
Title:

(Affix Corporate Seals)

(Attach Acknowledgments of both Principal and Surety signatures)

+ CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA

County of SAN JOAQUIN

On 12/10/09 before me, Terri L. Beltis, Notary Public

DATE

Name, title of officer - e.g., "Jane Doe, Notary Public"

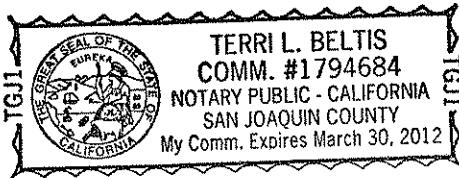
personally appeared BRIAN J. ROEK

NAME



who proved to me on the basis of satisfactory evidence

to be the person whose name is  
subscribed to the within instrument and ac-  
knowledge to me that he executed  
the same in his authorized  
capacity and that by his  
signature on the instrument the person  
or the entity upon behalf of which the  
person acted, executed the instrument.



I certify under PENALTY OF PERJURY  
Under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary

**OPTIONAL**

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

**CAPACITY CLAIMED BY SIGNER**

Signer's Name: BRIAN J. ROEK

☐ INDIVIDUAL

☒ CORPORATE OFFICER

**PRESIDENT-TREASURER-RMO**

Title

☐ PARTNER (S) ☐ LIMITED

☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE (S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER:

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

ROEK CONSTRUCTION

**DESCRIPTION OF ATTACHED DOCUMENT**

BID BOND

TITLE OR TYPE OF DOCUMENT

2

NUMBER OF PAGES

12/02/09

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

## ACKNOWLEDGMENT

State of California  
County of Placer )

On December 2, 2009 before me, Susan Fournier, Notary Public  
(insert name and title of the officer)

personally appeared Jana B. Pilgard,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

(Seal)



# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Jana B Pilgard, Kathy Rangel, Robert D Laux, Dona Lisa Buschmann, Susan Fournier, J Buschmann, Individually**

of Roseville, CA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

### - In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 23rd day of July, 2008.



WESTERN SURETY COMPANY

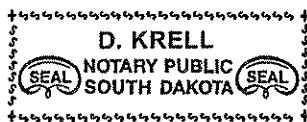
Paul T. Bruflat, Senior Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 23rd day of July, 2008, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2012



D. Krell, Notary Public

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 2nd day of December, 2009.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary



**Authorizing By-Law**

**ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY**

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

**BIDDER (GENERAL CONTRACTOR):** ROEK CONSTRUCTION

SEE ATTACHED

**CONTRACT AMOUNT**

[illegible]

**STATEMENT OF BIDDER'S EXPERIENCE (Cont.)**

**BIDDER (GENERAL CONTRACTOR):** ROEK CONSTRUCTION

The bidder is required to state below what work of similar magnitude or character the bidder has done, and to give reference that will enable the City Council to judge the bidder's experience, skill and business standing and of the bidder's ability to conduct the bidder's work as completely and as rapidly as required under the terms of the contract. **(Contractor may Include Company own Bidders' Experience sheet instead).**

SEE ATTACHED

**PROJECT NAME**

**AGENCY/ENTITY**

**CONTRACT AMOUNT**


## STATEMENT OF BIDDER'S EXPERIENCE

## ROEK CONSTRUCTION MAJOR PROJECTS (\$200,000 &amp; UP) COMPLETED &amp; IN PROGRESS IN THE PAST 5 YEARS

PROJECT NAME & LOCATION	TYPE OF WORK	OWNER	ARCHITECT/CONST. MGR.	CONTRACT	YEAR
RENOVATION TO CENTRAL KITCHEN San Lorenzo, CA	ADDITION & RENOVATION	SAN LORENZO UNIFIED SCHOOL DISTRICT 15510 USHER ST. SAN LORENZO, CA 94580 510-317-4683 JAMES FERRARO	AEDIS/ARCHITECTURE & PLANNING 1494 HAMILTON AVE SAN JOSE, CA 95125 408-264-2000 408-264-2500 FAX PASCAL NAJEM	\$6,757,000	IN PROGRESS
UNITED SPIRAL PIPE ADMIN BLDG Pittsburg, CA	RENOVATION	UNITED SPIRAL PIPE, LLC 900 EAST 3RD STREET PITTSBURG, CA 94565 925-439-2549 925-698-3596 TONY PEASE	RAMSEY ARCHITECTURAL GROUP 525 E. MAIN STREET STOCKTON, CA 95202 (209) 933-6940 (209) 933-6943 FAX REX RAMSEY	\$2,185,438	IN PROGRESS
TRACY MULTIMODAL STATION Tracy, CA	NEW BUILDING	CITY OF TRACY 333 CIVIC CENTER PLAZA TRACY, CA 95376 (209)831-4825 (209)831-8253 FAX	CONSOLIDATED CM 180 GRAND AVENUE #1520 OAKLAND, CA 94612 (510)208-1720 RICK DESJARLAIS (510)208-1721	\$6,669,100	IN PROGRESS
ARCH AIRPORT BUSINESS CENTER Stockton, CA	NEW BUILDING	OXFORD PARTNERS P.O. BOX 30038 STOCKTON, CA 95213 (209)464-8344 (209)464-8253 FAX	ARCHITECTS ORANGE 144 N ORANGE ST ORANGE, CA 92666 714-639-9860 714-639-5286 FAX	\$4,552,798	2009
HCCL PATIENT SERVICE CENTER Merced, CA	TENANT IMPROVEMENT	CHW/ ST. JOSEPH'S MEDICAL CENTER FACILITY DEVELOPMENT P.O. BOX 213008 STOCKTON, CA 95213 (209) 467-6368 CARLA VALLEM (209) 461-5046 fax	WENNEL MATTHEIS BOWE 246 E. MAIN STREET STOCKTON, CA 95202 (209) 944-9110 (209) 944-5711 fax	\$293,439	2009
HCCL PATIENT SERVICE CENTER Tracy, CA	TENANT IMPROVEMENT	CHW/ ST. JOSEPH'S MEDICAL CENTER FACILITY DEVELOPMENT P.O. BOX 213008 STOCKTON, CA 95213 (209) 467-6368 CARLA VALLEM (209) 461-5046 fax	WENNEL MATTHEIS BOWE 246 E. MAIN STREET STOCKTON, CA 95202 (209) 944-9110 (209) 944-5711 fax	\$231,983	2009
ADMINISTRATION & STUDENT UNION BUILDINGS REMODEL Merced Community College		MERCED COMMUNITY COLLEGE DISTRICT 3810 M STREET MERCED, CA 95348 (209)384-6301 (209)384-6310	PARSONS BRINCKERHOFF CONSTRUCTION P.O. BOX 2328 MERCED, CA 95344 (209)724-9886 TONY VALDEZ (209)724-9889 FAX	\$2,551,119	2009
SHILOH ELEMENTARY SCHOOL Modesto, CA	MODERNIZATION	SHILOH ELEMENTARY SCHOOL DISTRICT 6633 PARADISE ROAD MODESTO, CA 95358 209-522-2261	TIMOTHY P. HUFF, AIA ARCHITECT 1210 J STREET MODESTO, CA 95354 (209)571-2232 (209)571-1936	\$663,142	2008
PROTOTYPICAL CLASSROOMS Concord, CA	NEW CLASSROOMS	MT. DIABLO UNIFIED SCHOOL DISTRICT 2326 BISSO AVENUE CONCORD, CA 94520 (925)825-7440 JEFF McDANIEL (925)687-5044 FAX	ATI ARCHITECTS ENGINEERS 3860 BLACKHAWK ROAD DANVILLE, CA 94506 (925)848-8800 (925)848-8811 FAX	\$2,352,287	2008
130-140 WINGS MODERNIZATION PATTERSON HI MODERNIZATION Patterson, CA		PATTERSON JOINT UNIFIED SCHOOL DIST. 200 N. 7TH STREET PATTERSON, CA 95363 (209)892-3700 MARK WHEELER (209)892-5803	TIMOTHY P. HUFF, AIA ARCHITECT 1210 J STREET MODESTO, CA 95354 (209)571-2232 (209)571-1936	\$539,000	2007

## STATEMENT OF BIDDER'S EXPERIENCE

## ROEK CONSTRUCTION MAJOR PROJECTS (\$200,000 &amp; UP) COMPLETED &amp; IN PROGRESS IN THE PAST 5 YEARS

PROJECT NAME & LOCATION	TYPE OF WORK	OWNER	ARCHITECT/CONST. MGR.	CONTRACT	YEAR
THOMAS OLIVETA ELEMENTARY SCHOOL Atwater, CA	MODERNIZATION	ATWATER ELEMENTARY SCHOOL DISTRICT 1401 BROADWAY ATWATER, CA 95301 (209) 357-6100 ALAN PATTERSON (209) 357-6163 fax	ARCHITECTNICA 555 W. BEN HOLT DR., #423 STOCKTON, CA 95207 (209) 952-5850 (209) 952-2442 fax	\$2,274,000	2007
CERES FIRE STATION #4 Ceres, CA	NEW FIRE STATION	CITY OF CERES 2220 MAGNOLIA STREET CERES, CA 95307 (209)538-5792 LEONARD GUILLETTE (209)538-5780	C3 DESIGN ALLIANCE 2104 UNION STREET SAN FRANCISCO, CA 94123 (415)749-2670 (415)749-2672	\$2,277,000	2007
EBBETTS PASS FIRE STATION #1 Arnold, CA	NEW FIRE STATION	EBBETTS PASS FIRE DISTRICT 1028 MANUEL ROAD ARNOLD, CA 95223 (209) 795-1646 CHIEF WARREN WILKES (209) 795-3460 fax	DERIVI CONSTRUCTION & ARCHITECTURE 258 MINARET AVE TURLOCK, CA (209) 656-6765 (209) 656-6766 fax	\$5,375,744	2006
BUHACH COLONY HIGH SCHOOL ATWATER, CA	SCHOOL ADDITION	MERCED UNION HIGH SCHOOL 3430 A STREET ATWATER, CA 95301 (209) 385-6558 MICHAEL BELLUOMINI (209) 385-6442 fax	CALIFORNIA DESIGN WEST ARCH 2100 19TH STREET SACRAMENTO, CA 95818 (916) 446-2466 (916) 446-5118 fax	\$2,075,750	2006
SJMC PARKING LOT Stockton, CA	NEW PARKING LOT	ST. JOSEPH MEDICAL CENTER 1800 N. CALIFORNIA STREET STOCKTON, CA 95204 (209) 467-6368 CARLA VALLEM (209) 461-5046 fax	WONG ENGINEERS, INC. 4578 FEATHER RIVER DR. STOCKTON, CA 95219 (209) 476-0011 (209) 476-0135 fax	\$481,285	2006
BOISE CASCADE DIST. FACILITY Lathrop, CA	REMODEL	BOISE BLDG. SOLUTIONS DIST. LLC 1111 W. JEFFERSON BOISE, ID 83702 (209) 384-7422 PAUL SCHMIDT 208-384-7422 (209) 384-7637 fax	WENELL- MATTHEIS BOWE 246 E. MAIN ST. STOCKTON, CA 95202 (209) 944-9110 (209) 944-5711 fax	\$3,581,257	2005
CALIFORNIA WELDING Manteca, CA	DESIGN BUILD	RAYMOND INVESTMENTS P.O. BOX 567 STOCKTON, CA 95201 (209)466-4526 BEVERLY GARCIA (209)466-1082	KENWOOD PARTNERS 42580 MARACAY PLACE BERMUDA DUNES, CA (760)345-8042 (760)360-1373	\$2,787,548	2006
SJMC IMMEDIATE CARE/ OCCP. HEALTH Stockton, CA	T.I. NEW MEDICAL OFFICES	CHW/ ST. JOSEPH'S MEDICAL CENTER FACILITY DEVELOPMENT P.O. BOX 213008 STOCKTON, CA 95213 (209) 467-6368 CARLA VALLEM (209) 461-5046 fax	BAHR ARCHITECTS 841 EL CAMINO REAL MENLO PARK, CA 94025 (650)329-0900 (650) 618-2006 fax	\$1,366,867	2006
BELLEVUE ELEMENTARY SCHOOL Atwater, CA	REMODEL	ATWATER ELEMENTARY SCHOOL DISTRICT 1401 BROADWAY ATWATER, CA 95301 (209) 357-6100 ALAN PATTERSON (209) 357-6163 fax	ARCHITECTNICA 555 W. BEN HOLT DR., #423 STOCKTON, CA 95207 (209) 952-5850 (209) 952-2442 fax	\$2,700,591	2005
SJMC OCCUPATIONAL HEALTH Manteca, CA	TENANT IMPROVEMENT	ST. JOSEPH'S MEDICAL CENTER 1800 N. CALIFORNIA ST. STOCKTON, CA 95204 CARLA VALLEM (209) 467-6368 (209) 461-3462 fax	WENELL MATTHEIS BOWE, AIA 246 E. MAIN STREET STOCKTON, CA 95202 LARRY WENELL (209) 944-9110 (209) 944-5711 fax	\$227,080	2005
SJMC IMMEDIATE CARE Manteca, CA	TENANT IMPROVEMENT	ST. JOSEPH'S MEDICAL CENTER 1800 N. CALIFORNIA ST. STOCKTON, CA 95204 CARLA VALLEM (209) 467-6368 (209) 461-5046 fax	BAHR ARCHITECTS 1763 BROADWAY OAKLAND, CA 94612 (510)763-1559 (650)616-2006 fax	\$251,193	2005
SJGH - CLINICAL LAB REPLACEMENT French Camp, CA 95231	ADDITION	COUNTY OF SAN JOAQUIN 212 N. SAN JOAQUIN ST. STOCKTON, CA 95202 STEVE KEETER (209)468-4540 (209) 983-1622 fax	NATCH & LEWIS ARCHITECTS 7300 FOLSOM BLVD. #200 SACRAMENTO, CA 95826 (916)329-4000 (916) 329-7474 fax	\$6,902,694	2005

## STATEMENT OF BIDDER'S EXPERIENCE

## ROEK CONSTRUCTION MAJOR PROJECTS (\$200,000 &amp; UP) COMPLETED &amp; IN PROGRESS IN THE PAST 5 YEARS

PROJECT NAME & LOCATION	TYPE OF WORK	OWNER	ARCHITECT/CONST. MGR.	CONTRACT	YEAR
KRAFT FOODS CONCRETE Modesto, CA	TENANT IMPROVEMENT	KRAFT FOODS, INC. THREE LAKES DRIVE, NF128 NORTHFIELD, IL 60093 JUSTINE PERRY (847) 646-7516 fax	N/A	\$334,895	2005
PARTY AMERICA Tracy, CA	TENANT IMPROVEMENT	CCO PAVILION II, LLC c/o CCA ACQUISITIONS COMPANY, LLC 145 S. FAIRFAX AVE #302 LOS ANGELES, CA 90036 (209) 835-2178 (209) 835-1488 fax	MCG ARCHITECTURE 1055 E. COLORADO #400 PASADENA, CA 91106 SAEID SHANTIAI (626) 793-3119 (626) 796-9285 fax	\$280,000	2004
IONE JUNIOR HIGH SCHOOL Ione, CA	MODERNIZATION	AMADOR COUNTY UNIFIED SCHOOL DISTRICT 217 REX AVENUE JACKSON, CA 95642 (209) 257-5335 BARBARA MURRAY (209) 223-1733 fax	ASPEN STREET ARCHITECTS 494 NORTH MAIN STREET ANGELS CAMP, CA 95222 (209) 736-0882 (209) 736-9071 fax	\$592,200	2004
SJDC ELECTRICAL SYSTEM PROJECT Stockton, CA	REMODEL	SAN JOAQUIN DELTA COMMUNITY COLLEGE 5151 PACIFIC AVENUE STOCKTON, CA 95207 (209) 954-5065 W. ANDREW DUNN (209) 954-5601 fax	LIONAKIS BEAUMONT DESIGN GROUP 1919 19TH STREET SACRAMENTO, CA 95814 (916) 558-1900 (916) 558-1919	\$2,676,300	2004
IONE ELEMENTARY SCHOOL Ione, CA	MODERNIZATION	AMADOR COUNTY UNIFIED SCHOOL DISTRICT 217 REX AVENUE JACKSON, CA 95642 (209) 257-5335 BARBARA MURRAY (209) 223-1733 fax	ASPEN STREET ARCHITECTS 494 NORTH MAIN STREET ANGELS CAMP, CA 95222 (209) 736-0882 (209) 736-9071 fax	\$727,000	2004
JACKSON JUNIOR HIGH SCHOOL Jackson, CA	MODERNIZATION	AMADOR COUNTY UNIFIED SCHOOL DISTRICT 217 REX AVENUE JACKSON, CA 95642 (209) 257-5335 BARBARA MURRAY (209) 223-1733 fax	ASPEN STREET ARCHITECTS 494 NORTH MAIN STREET ANGELS CAMP, CA 95222 (209) 736-0882 (209) 736-9071 fax	\$660,200	2004

## STATEMENT OF BIDDER'S EXPERIENCE

## ROEK CONSTRUCTION MAJOR PROJECTS (\$200,000 &amp; UP) COMPLETED &amp; IN PROGRESS IN THE PAST 5 YEARS

PROJECT NAME & LOCATION	TYPE OF WORK	OWNER	ARCHITECT/CONST. MGR.	CONTRACT	YEAR
JACKSON ELEMENTARY SCHOOL Jackson, CA	MODERNIZATION	AMADOR COUNTY UNIFIED SCHOOL DISTRICT 217 REX AVENUE JACKSON, CA 95642 (209) 257-5335 BARBARA MURRAY (209) 233-1733 fax	ASPEN STREET ARCHITECTS 494 NORTH MAIN STREET ANGELS CAMP, CA 95222 (209) 736-0892 (209) 736-9071 fax	\$696,400	2004
ARGONAUT HIGH SCHOOL Jackson, CA	MODERNIZATION	AMADOR COUNTY UNIFIED SCHOOL DISTRICT 217 REX AVENUE JACKSON, CA 95642 (209) 257-5335 BARBARA MURRAY (209) 223-1733 fax	ASPEN STREET ARCHITECTS 494 NORTH MAIN STREET ANGELS CAMP, CA 95222 (209) 736-0892 (209) 736-9071 fax	\$1,084,000	2004
WEBSTER MIDDLE SCHOOL Stockton, CA	MODERNIZATION	STOCKTON UNIFIED SCHOOL DIST. 701 N. MADISON STREET STOCKTON, CA 95202 MIKE ROHRER (209) 933-7045 x 2344 (209) 933-7046 fax	DLR GROUP VITIELLO 1931 H STREET SACRAMENTO, CA 95814 GARY PLETT (916) 446-0206 (916) 446-0894 fax	\$2,874,200	2004
FREMONT MIDDLE SCHOOL Stockton, CA	MODERNIZATION	STOCKTON UNIFIED SCHOOL DIST. 701 N. MADISON STREET STOCKTON, CA 95202 MIKE ROHRER (209) 933-7045 x 2344 (209) 933-7046 fax	DLR GROUP VITIELLO 1931 H STREET SACRAMENTO, CA 95814 GARY PLETT (916) 446-0206 (916) 446-0894 fax	\$1,946,500	2004
A.A. STAGG HIGH SCHOOL Stockton, CA	MODERNIZATION 190,600 SQ. FT.	STOCKTON UNIFIED SCHOOL DIST. 701 N. MADISON STREET STOCKTON, CA 95202 MIKE ROHRER (209) 933-5101 (209) 933-4762 fax	ARCHITECTNICA 555 W. BEN HOLT DR., #423 STOCKTON, CA 95207 BERRY MACGREGOR (209) 952-5850 (209) 952-2442 fax	\$10,034,712	2004

# PROPOSAL TO CITY OF SAN JOSE

## FOR CALABAZAS BRANCH LIBRARY

Name of Bidder: ROEK CONSTRUCTION, A CALIFORNIA CORPORATION

The representations herein are made under penalty of perjury.

To: The City of San Jose, State of California

The undersigned, as bidder, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm or corporation; that the bidder has thoroughly read and examined and has full knowledge of and understands all the provisions and contents of this proposal and the documents which must be attached hereto, the Plans approved by the Director of Public Works on October 27, 2009 entitled **CALABAZAS BRANCH LIBRARY** and the Specifications approved by the Director of Public Works on October 27, 2009 entitled **CALABAZAS BRANCH LIBRARY** on file in the office of the Director of Public Works of the City of San Jose in City Hall, San Jose, California; that the bidder has thoroughly examined said Plans and Specifications which are on file in the office of the Director of Public Works, and that the bidder has full knowledge of and understands said Plans and Specifications and the requirements thereof; and that the bidder has further read and understands, and has knowledge of the contents of any and all addenda to said Plans and Specifications on file; and that the bidder proposes and agrees, if this proposal is accepted, that the bidder will contract with the City of San Jose, in the form of the copy of the contract on file in the office of the Director of Public Works, to do all the work and furnish all materials specified or referred to in the contract, in the manner and time therein prescribed, and according to the requirements of the City or Director of Public Works as therein set forth, to furnish the contract, bonds and insurance specified in the Specifications, and to do all other things required of the Contractor by the contract; and will take in full payment therefor the following price or unit prices as shown in the Schedule of Quantities on the next page(s).

If the bidder or other interested persons is a corporation, state legal name of corporation, also names of the President, Secretary, Treasurer, and the Manager thereof; if a partnership, state the name of the partnership, if one exists, also the names of all the partners comprising the partnership; if any of the partners are individuals, state the first and last name of every individual in full, if any of the partners are corporations, state for each such corporation, the information required above of corporations; if any of the partners are partnerships, state for each such partnership the information required above of partners; if the bidder or other interested person is a joint-venture, state the name of the joint venture, also names of all joint venturers comprising the joint venture; if any of the joint venturers are individuals, state the first and last name of every individual comprising the joint venture; if any of the joint venturers are corporations, state for each corporation the information required above of corporations; if any of the joint venturers are partnerships, state for each such partnership, the information required above of partners; if bidder or other interested persons is an individual, state first and last names in full.

If bidder is an individual, the bidder's signature shall be placed below; if bidder is an individual, doing business under a fictitious name, the name of the individual followed by the words "doing business under (insert the fictitious name)" shall be set forth above, together with the signature of the individual; if bidder is a corporation, the legal name of the corporation shall be set forth above, together with the signature of the officer or officers of the corporation, authorized to sign contracts on behalf of the corporation, the corporate title; that is Vice-President, Secretary, etc., should be placed below the name of the officer and the corporate seal affixed; if bidder is a partnership, the legal name of the partnership, if one exists, shall be set forth above, together with the signature of the partner or partners authorize to sign contracts on behalf of the partnership; if any of the partners are corporations, execution for such partners shall be accomplished (cont. on page 2 of 3)



**DESCRIPTION OF WORK:**

Furnish all necessary labor, materials, equipment, and incidentals to complete the work, as described in the plans and Specifications for this project.

**BID ITEM:**

For the CALABAZAS BRANCH LIBRARY<sup>(1-4)</sup>

**TOTAL BID PRICE  
FOR EACH ITEM**  
(in figures):

**Project Description:** All work described for the construction of a 10,500sf One Story facility known as the Calabazas Branch Library Project as noted in the project manual and drawings, including allowances described below:

<b>Allowance 1:</b> Utility connections fees.	\$150,000
<b>Allowance 2:</b> SWPPP/Erosion Control requirements.	30,000
<b>Allowance 3:</b> CEQA Mitigation Monitoring and reporting.	30,000
<b>Allowance 4:</b> Third Party Special Inspection for Structural and Soil certification.	150,000
<b>Allowance 5:</b> Third Party Hazardous Materials Monitoring Agency.	25,000
<b>Total Allowances:</b>	<u>\$385,000</u>

**TOTAL BASE BID** The amount of the Total Base bid set forth here includes each of the above Allowances (no exceptions):

Base Bid: 5,577,000.00

**BID ADD ALTERNATES:** <sup>(1)(2)</sup>

<b>1. Alternate 1:</b> Exterior Metal Panel Siding MP2 (Ribbed Panel)	Add #1: <u>35,000.00</u>
<b>2. Alternate 2:</b> Exterior Metal Panel Siding MP1 (Zinc Panels)	Add #2: <u>123,000.00</u>
<b>3. Alternate 3:</b> Exterior Concrete Benches with color coating and Anti-graffiti coating; and yellow exterior Pavers	Add #3: <u>10,100.00</u>
<b>4. Alternate 4:</b> Interior – Add Glazing and Frame at Group Study Room	Add #4: <u>7,700.00</u>

**NOTES:**

- (1) Bid Alternates prices are to include the Contractor General Conditions, Project and Overhead, bonding and related costs specified to the scopes of work for each individual Alternate.
- (2) Refer to **Specification Section 01230** for additional information for each "Alternate" alternate work.
- (3) See the Special Provisions Section in this project manual for descriptions of "Award of Contract".
- (4) Base bid value amount is to include the Allowance value as indicated in **Specification Section 01210**, "Allowances".

(cont. from page 1 of 3) in accordance with the requirements set forth above for corporations; if any of the partners are partnerships, execution for such partners shall be accomplished in accordance with the requirements set forth above for partnership; if bidder is a joint-venture, the legal name of the joint venture, if one exists, shall be set forth above for partnerships. If signature is by an agent other than an officer of a corporation, or member of a partnership or a joint venture, a Power of Attorney must be on file with the City Clerk prior to opening bids or submitted with the bid; otherwise, the bid may, at the City's option, be disregarded as non-responsive.

If this proposal shall be accepted and the undersigned shall fail to contract, and to give the Contractor's Bond For Faithful Performance and the Contractor's Payment Bond required by the specifications and contract and by law, and to provide all insurance as required by said contract, within eight (8) days after the bidder has received notice from the City of San Jose, the City may, at its option, determine that the bidder has abandoned his/her contract, and thereupon this proposal and the acceptance thereof shall be null and void, and the forfeiture of such security accompanying this proposal shall operate and the same shall be the property of the City of San Jose.

In accordance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding on contempt of court by a federal court has been issued against the Contractor within the immediately preceding two year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board. Signing this Proposal on the signature portion thereof shall constitute signature of this Statement.

Accompanying this proposal are the following documents completely filled in by the bidder and the same are incorporated herein by reference;

1. Cash, a cashier's check or a certified check made payable to City, or a bidder's bond executed by an admitted surety insurer naming the City as beneficiary, in an amount equal to at least ten percent (10%) of the total amount bid including all alternatives.
2. A "List of Subcontractors".
3. A "Statement of Bidder's Experience".

City may at its option, request additional supplemental information after bid opening.

Bidder understands that the City reserves the right to reject any or all bids and to waive any informalities in the bidding.

The undersigned, as bidder, declares that in listing subcontractors in this bid, I have not discriminated or given any preference to any firm based on race, sex, color, age, religion, sexual orientation, actual or perceived gender identity, disability, ethnicity, or national origin. I understand that any such discrimination or preference is in violation of Chapter 4.08 of the Municipal Code.

Execution of the Non-Collusion Affidavit constitutes execution of this Bid Proposal including the above statement of nondiscrimination and, with the exception of the Bidder's Bond or Addenda, if any, no other signatures will be required

# NONCOLLUSION AFFIDAVIT

Project Title: CALABAZAS BRANCH LIBRARY

BRIAN J. ROEK

(print name)

, being first duly sworn, deposes and says that he/she is

the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof the effectuate a collusive or sham bid.

In accordance with Title 23, United States Code, Section 112, the bidder hereby states, under penalty of perjury, that he/she has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this contract. Bidders are cautioned that making a false certification may subject certifier to criminal prosecution.

**The undersigned declares under penalty of perjury that the information contained in this proposal and all accompanying documents are true and correct.**

Executed on 12/10/09

ROEK CONSTRUCTION

Legal Company Name

CORPORATION

Indicate Type of Entity: Sole Proprietorship,  
Partnership (General/Limited Partners),  
Corporation, Joint Venture, etc.

STOCKTON

City Business Lic. No.: 4620

Expiration Date: 12/31/09

State Contractor Lic. No.: 171084

Classification: B

Expiration Date: 2/28/11

Federal I. D. No.: 94-1377328

Address: 2580 TEEPEE DRIVE  
STOCKTON, CA 95205

By: 

Title: PRESIDENT/TREASURER/RMO

Telephone: 209-464-8344

NOTARY

On \_\_\_\_\_  
appeared

before me,

(name and title of officer)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under the PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

Notary Public

(Seal)

CALIFORNIA JURAT

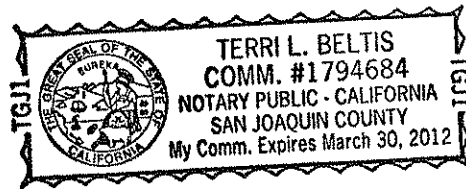
STATE OF CALIFORNIA                     )  
   )     SS.  
COUNTY OF SAN JOAQUIN             )

Subscribed and sworn to (or affirmed) before me this 10th day of December, 2009,  
by Brian J. Roek, proved to me on the basis of satisfactory evidence to be the  
person who appeared before me..

*Terril L. Beltis*

Notary Public

(Seal)





## LIST OF SUBCONTRACTORS

Designation of Subcontractors as required in Section 2-1.15A of the City of San Jose Standard Specifications, July 1992.

BIDDER (GENERAL CONTRACTOR): ROEK CONSTRUCTION (page 1)

NAME OF SUBCONTRACTOR	LOCATION OF PLACE OF BUSINESS	PORTION (DESCRIPTION) OF WORK
PANTANO	FRESNO	DEMOLITION / Abatement
D RT	SUNOL	GRADING/PAVING
M K Pipeliner	SAN FRANCISCO	UNDERGROUND UTILITIES
B & B	SAN JOSE	LANDSCAPING
RH CONCRETE	SAN JOSE	REBAR
RH CONCRETE	SAN JOSE	CONCRETE
Mike Owens	Bakersfield	STEEL
Mike Owens	Bakersfield	METAL DECKING
Richard Handcock	Sonoma	ROUGH CARPENTRY
B K Mill	NEWARK	CASEWORK
Pacific Erectors	Rocklin	METAL WALL PANELS
Richard Handcock	Sonoma	FIBER CEMENT SIDING
Peterson Dean	NEWARK	
Jeff Co BJR	<del>Santa</del> BJR	ROOFING
ROSE Glass	MAINTENANCE	STOREFRONT
PREMIER wall	CONCORD	
<del>S ALANA &amp; SONS</del> BJR	<del>Hayward</del> BJR	LATH & PLASTER
PREMIER wall	CONCORD	
<del>CONCORD</del> BJR	<del>CONCORD</del> BJR	DRYWALL
FISCHER	SACRAMENTO	CERAMIC TILE
E LANI	PACIFIC	ACOUSTICAL CEILING

**LIST OF SUBCONTRACTORS (Cont.)**

**BIDDER (GENERAL CONTRACTOR):** ROEK CONSTRUCTION

**(page 2)**

NAME OF SUBCONTRACTOR	LOCATION OF PLACE OF BUSINESS	PORTION (DESCRIPTION) OF WORK
Ortega	Sacramento	RESILIENT & CARPET
Slater custom	SAN FRANCISCO	PAINTING
		<del>BOOK THEFT SYSTEM</del> BJR
BAR	South SAN FRANCISCO	FIRE PROTECTION
A M Wost	S. F.	PLUMBING
ADVANCED	MORGAN HILL	
<del>California AIR</del> BJR	<del>San Jose</del> BJR	HVAC
Apple gate JOHNSON	MOORESBY	
<del>C T Bleet.</del> TSLR	<del>FELTON</del> BJR	ELECTRICAL
ELAN	PACIFIC	ORNAMENTAL PLASTIC
WOODWORKING SPEC	FRESNO	N D F PANELS
HACKLEY	HAYWARD	SIGNS
ROSS McDONALDS	LIVERMORE	LIBRARY STACK SYSTEMS
SHERILL	S. F.	COMMISSIONING
SCHNEIDER	BULINGAME	EMS
PACIFIC COAST	SUNNY VALLE	FMSI

### LIST OF SUBCONTRACTORS (Cont.)

**BIDDER (GENERAL CONTRACTOR):** ROEK CONSTRUCTION

\_(page 3)

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